



UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/047,511	10/19/2001	David H. Cook	62967-035

McDermott, Will & Emery
2700 Sand Hill Road
Menlo Park, CA 94025



CONFIRMATION NO. 4017

FORMALITIES LETTER



OC00000007651885

Date Mailed: 03/15/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/19/2002 MBIZUNES 00000030 501390 10047511

01 FC:205

65.00 CH

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

The following item(s) appear to have been **omitted** from the application:

- Page(s) **Page 6** of the specification (description and claims).

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I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

20047511-0047511

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.

J. Sehen H

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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2004754-03402

LET-101

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

DAVID H. COOK et al.

Serial No. 10/047,511

Art Unit: 2611

Filed: October 19, 2001

Examiner: Unknown

For: SYSTEM AND METHOD FOR SELECTIVE
INSERTION OF CONTENT INTO STREAMING MEDIA

Assistant Commissioner of Patents
Washington, D.C. 20231

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**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION – FILING DATE GRANTED**

Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application – Filing Date Granted mailed March 15, 2002, copy attached, applicants are submitting herewith an executed Declaration and Power of Attorney document. Please charge Applicant's representative's Deposit Account No. 50-1390 for the amount of \$65 as set forth in 37 C.F.R. 1.16(e) and which is owed by applicant as a small entity for the late filing of this document.

Applicant is also submitting herewith substitute drawings in compliance with 37 C.F.R. 1.84.

Applicants wish to note that page 6 of the specification has already submitted to the Office. The date of submission was May 15, 2002. Finally, applicants are attaching herewith a Petition for a One Month Extension of Time Under 37 CFR 1.136(a).

Serial No. 10/047,511
Art Unit: 2611
Attorney's Docket No. LET-101

Applicants now confirm that this filing meets all the requirements of the Notice to File Missing Parts mailed March 15, 2002 and that no further action is necessary.


Entry of these documents into this application and prompt notification thereof is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to applicants' representative's Deposit Account No. 50-1390. A duplicate copy of this paper is attached for that purpose.

Respectfully submitted,

DAVID H. COOK et al.

By:


Michael A. Oblon
Reg. No. 42,956

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Tel: 703-770-7627

Date: **June 14, 2002**

Document #: 1191124 v.1

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